

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA

Mark Splonskowski,

Plaintiff,

vs.

Erika White, in her capacity as State Election
Director of North Dakota,

Defendant.

MOTION TO DISMISS

Case No. 1:23-cv-00123

[¶1] The Defendant, Erika White, in her capacity as State Election Director of North Dakota, moves this Court under Fed. R. Civ. P. 12(b)(1) and 12(b)(6) for an order dismissing Plaintiff’s Complaint. This motion is made to assist the Court in securing “the just, speedy, and inexpensive determination” of this action. Fed. R. Civ. P. 1. This motion is supported by the attached memorandum and all documents on file with this Court, and is made on the grounds that the Court lacks subject matter jurisdiction over the entirety of Plaintiff’s Complaint. Further, this motion is made on the grounds that Plaintiff’s Complaint fails to state a claim upon which relief can be granted as more fully set forth in the attached memorandum.

[¶2] The Defendant requests this Court grant her Motion to Dismiss and dismiss the Complaint against her.

Dated this 7th day of August, 2023.

State of North Dakota
Drew H. Wrigley
Attorney General

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